

**TESTIMONY OF  
ARDELL RUIZ, ASSISTANT COMMUNITY MANAGER,  
GILA RIVER INDIAN COMMUNITY  
BEFORE THE SENATE COMMITTEE ON INDIAN AFFAIRS**

**Washington, D.C.  
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**INTRODUCTION**

Good morning, Mr. Chairman, and other distinguished members of the Senate Committee on Indian Affairs. At this time, I will restrict myself to a shorter oral testimony, but I ask that my complete testimony be placed in the record.

My name is Ardell Ruiz, and I am Assistant Manager of the Gila River Indian Community (“the Community”) and former Chairman of the Gila River Farms Board. The Community is comprised of both the Akimel O’Otham and Pee-Posh nations. The Community’s reservation (“the Reservation”) was created by Executive Order in 1859 and covers 372,000 in south central Arizona. Our Community is comprised of approximately 20,000 enrolled members, 13,000 of whom live on the Reservation.

Gila River Farms (“the Farms”) is an economic enterprise of the Community. It is comprised of five ranches, with approximately 12,500 acres irrigated per crop year. The Farms’ headquarters are located on the Reservation, west of Interstate I-10 and about 30 miles south of Phoenix, Arizona.

A professional staff that includes a Farm Manager, Assistant Farm Manager, and approximately 137 full-time and 250 part-time employees perform the farming operations. The Community’s Council appoints a five-member Farm Board that is responsible for policy decisions and overseeing management of the Farms. The enterprise has been successfully operated through this system since 1968.

Agricultural production at the Farms includes crops such as cotton, alfalfa, small grains, melons, citrus, olives, and a variety of vegetables that are grown in limited acreage. The Farms has also provided pasture for cattle and sheep grazing during the winter months and is currently involved

in fish farming for local sales. The Farms has grown limited acres of specialty crops such as roses, pistachios, and guayule. These unique crops have been grown to determine crop production capability and limitations and to diversify the Farms revenues and markets.

The Farms has made improvements through land leveling, concrete ditch lining, and construction of water control structures to optimize the use of the limited water supply from the Gila River, groundwater wells, and now the Central Arizona Project. Since 1977, the Farms and the Community have invested over twenty-five million dollars in improvements to optimize the return for the farming operation and to keep the Farms as efficient and effective as possible.

As hard as the Farms' management and employees have worked to make the operation successful, there are many areas where technical and financial assistance is required to enable the Farms to compete in today's global agricultural market.

## **S.2282**

I am honored today to speak on behalf of the Farms on S. 2282, the Native American Agricultural Research, Development, and Export Enhancement Act of 2000. The bill establishes the office of Native American Agricultural Research, Development, and Export within the Department of Agriculture and encourages the efficient use of existing resources and assets related to Indian agricultural research, development, and exports.

The sponsors of the bill are to be commended for their efforts and for recognizing the need for improvements in Indian agriculture. The challenges facing us with regard to continued success in agricultural endeavors on Indian reservations are dependent on a partnership between Tribe's Indian producers, consumers, and the United States Government. This bill makes the appropriate measures to begin such a partnership.

Agriculture is the only renewable resource on our Reservation. Indian farmers have continued to reap the benefits of our land through farming over the last 2,000 years. But today we struggle to keep our farming ventures economically alive. In many instances, Native American farmers have to compete with mainstream non-Indian Farmer/Ranchers who are already established and have enjoyed the benefits of the U.S. Department of Agriculture (USDA) programs for years.

In order for Native Americans to truly benefit from this bill, a direct line of communication between the Indian Nations and the USDA must be established. A designated person at the USDA must be available to devote time exclusively to Indian agricultural issues and be able to meet with the tribes and Native American producers so as to enhance development of Indian agricultural resources, production, and marketing.

This USDA office should not be limited to a Native American Agricultural Research, Development, and Export Office. This office should act as the liaison and coordinator for all the USDA programs on Indian Reservations and have the authority to work with Congress, in conjunction with the USDA, to truly give respect and bring to the forefront the government-to-government relationship that Indian Nations have with the United States Government. This office must be given appropriate staff and funding to carry out programs that result in improvements at the local level.

We further recommend that this position be placed under the office of the Secretary or Deputy Secretary of the United States Department of Agriculture.

In the past, there have been similar offices located within the USDA in Washington, D.C., but the officials in those offices were never given adequate funding and authority, nor a permanent home where Native Americans could go for answers and assistance. The Indian Desk, officially called “Director of Indian Programs, USDA,” has been physically and administratively located in a variety of places within the USDA. At one time, the office was administratively located under the Assistant Secretary for Inter-governmental Affairs. This office worked with Congress and other Agencies. This was appropriate because of the unique government-to-government relationship tribes enjoy with the U.S. Government. During another period, the office was placed under the Public Information Office of the USDA. Most recently, the office moved several times, including

placement under the Assistant Secretary for Administration. Physically, the office has been moved throughout the USDA, always without office equipment, funding, and staff to adequately operate the office. Therefore, to be successful, the office proposed in this bill must be given adequate funding to carry out its mandate to assist Indian Tribes with agriculture issues. Currently, the bill does not provide authorization for increased funding for the proposed office.

S. 2282 recognizes that the United States has an obligation to assist Indian Tribes with the creation of appropriate economic and political conditions with respect to Indian lands to:

- (A) encourage investment from outside sources that do not originate with the Tribes; and
- (B) facilitate economic ventures with outside entities that are not tribal entities.

While these are two encouraging goals, they are only achievable if the personnel that are employed by the United States in a “trust” capacity are able and willing to work with entities that want to invest time and money on the reservations. As the Committee is aware, the process that is currently in place to allow for such economic development is hindered by the interpretation of federal requirements for fair market value (land appraisals) and leasing of Tribal and allotted lands, which cause unnecessary delay in the process. In many cases, outside entities do not invest on reservations due to the length of time that is required to negotiate and secure an economic venture or because of limitations on the length of leases that do not allow adequate time for return on investment in the project.

Moreover, many investments are curtailed due to the individual’s or the Tribe’s lack of collateral. This is due to the federal trust status of the land, which prevents the land from being used as collateral and which may extend in some cases to improvements on the trust land. Many reservation-based Indians are not able to afford, or even able to finance, the required development to take advantage of the programs identified in S. 2282. As addressed in the bill, these same individuals are the least likely of any farm group to receive payment or loans from the United States. The proposed office within the USDA should ideally focus on impediments such as this, which prevent Tribes from obtaining the full benefit of agricultural development programs.

Members of the Gila River Farms Board who have participated in domestic and foreign trade missions are fully aware of the potential that exists for marketing Indian goods and services worldwide. They are also aware of the complexity and risk associated with foreign markets. In order to make the Native American Trade and Export Promotion a success, technical and financial assistance is required which will enable the Native American farmer to compete in a global market without jeopardizing everything that he/she has worked so hard to earn. There have been many past ventures by Tribes into foreign markets only to find that payment for their goods can not be collected due to the lack of adequate and enforceable contracts. The proposed office within the USDA should also ideally shed light on these types of impediments to Tribes' entry into foreign agricultural markets, and assist tribes as an advocate in dealing with their foreign counterparts.

### **Conclusion**

There is opportunity and potential for all Americans (both on and off the reservation) to benefit from the passage of S. 2282 by opening new markets, businesses and improvements in the local agricultural development. We have farmed our land for many years and look forward to improving our farm enterprise and providing food for families all over the world.